



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,542	10/17/2005	Shinkichi Ikeda	MAT-8765US	1859
23122	7590	09/18/2008		
RATNERPRESTIA			EXAMINER	
P O BOX 980			LAU, YUNGSANG	
VALLEY FORGE, PA 19482-0980				
			ART UNIT	PAPER NUMBER
			2617	
			MAIL DATE	DELIVERY MODE
			09/18/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/553,542

Applicant(s)

IKEDA, SHINKICHI

Examiner

YUNGSANG LAU

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2005.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-31 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 17 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/5508)
Paper No(s)/Mail Date 10/17/2005
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. **Claims 1-31** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0176095 A1 to Yamada *et al.* ("Yamada") in view of U.S. Patent Application Publication No. 2004/0203765 A1 to Das *et al.* ("Das").

As to **claim 1**, Yamada discloses an address information setting method comprising: a step of selecting a home agent to manage a mobile terminal from among routers to which the mobile terminal is connected, when the trigger is detected (p.5, [0070]); a step of generating a home address from the prefix distributed by the home agent selected (p.5, [0077]); and a step of carrying out a

mobile IP procedure using the selected home agent and the generated home address (p.5, [0077]).

Yamada does not expressly disclose a step of detecting a trigger from a user.

Das discloses a step of detecting a trigger from a user (fig. 1a, p.6, [0063]).

Yamada and Das are analogous art because they are from the same field of endeavor with respect to the communication of data by a mobile node.

At the time of invention, it would have been obvious to a person of ordinary skilled in the art to use a message as taught by Das. The suggestion/motivation would have been in order to communicate from the device.

Therefore, it would have been obvious to combine Yamada with Das to make the above modification.

As to **claim 2**, Yamada as modified by Das discloses an address information setting method according to claim 1, further comprising a step of acquiring router information from a network to which the mobile terminal is connected, when the trigger is detected (Yamada, p.5, [0070]).

As to **claim 3**, Yamada as modified by Das discloses an address information setting method according to claim 1, wherein in the selection of a home agent, a home agent is selected from among routers whose flag indicating that it is a home agent is on, this flag included in acquired information regarding the routers (Yamada, p.2-3, [0039]).

As to **claim 4**, Yamada as modified by Das discloses an address information setting method according to claim 3, wherein in the selection of a home agent, from among the routers whose flag is on, a predetermined number of routers are selected according to a preference defined in advance, in order from the one with highest priority (Yamada, p.3, [0042]).

As to **claim 5**, Yamada as modified by Das discloses an address information setting method according to claim 3, wherein in the selection step of a home agent, a home agent is selected arbitrarily from among the routers whose flag is on (Yamada, p.2-3, [0039]).

As to **claim 6**, Yamada as modified by Das discloses an address information setting method according to claim 3, further comprising a step of acquiring, from the user, criteria for selecting a home agent from among the routers whose flag is on, wherein in the step of selecting a home agent, a home agent is selected according to the criteria (Yamada, p.4, [0067]).

As to **claim 7**, Yamada as modified by Das discloses an address information setting method according to claim 1, further comprising a step of notifying the user when the selection of a home agent is completed (Yamada, p.4, [0048], the on-communication address management table).

As to **claim 8**, Yamada as modified by Das discloses an address information setting method according to claim 2, wherein the selection of a home

agent is performed using router information acquired during a time period designated by the user (Yamada, p.3, [0044], binding management part).

As to **claim 9**, Yamada discloses a mobile terminal comprising: an information setting unit that selects a home agent to manage the mobile terminal from among the routers to which the mobile terminal is connected when the mobile terminal receives the trigger (p.5, [0070]), and sets the address of the home agent and a home address which is generated from the prefix distributed by the home agent as information regarding the home agent (p.5, [0077]); and mobile IP processing means that carries out a mobile IP procedure using the information regarding the home agent (p.5, [0077]).

Yamada does not expressly disclose an input unit through which a user inputs a trigger for setting information regarding a home agent.

Das discloses an input unit through which a user inputs a trigger for setting information regarding a home agent (fig. 1a, p.6, [0063]).

Yamada and Das are analogous art because they are from the same field of endeavor with respect to the communication of data by a mobile node.

At the time of invention, it would have been obvious to a person of ordinary skilled in the art to use a message as taught by Das. The suggestion/motivation would have been in order to communicate from the device.

Therefore, it would have been obvious to combine Yamada with Das to make the above modification.

As to **claim 10**, Yamada as modified by Das discloses a mobile terminal according to claim 9, further comprising: a transmitting unit that transmits a router information request message for requesting router information from a network to which the mobile terminal is connected, when a trigger from the input unit is received (Das, p.3, [0030]); and a receiving unit that receives router information response messages that are responses to the router information request message (Das, p.3, [0032]), wherein the information setting unit selects a home agent to manage the mobile terminal from among the routers that have transmitted the router information response messages (Das, p.3, [0032]).

As to **claim 11**, Yamada as modified by Das discloses a mobile terminal according to claim 9, wherein the information setting unit selects a home agent from among routers whose flag indicating that the home agent is included in the router information of the router information response messages is on (Yamada, p.2-3, [0039]).

As to **claim 12**, Yamada as modified by Das discloses a mobile terminal according to claim 11, wherein in the selection of a home agent, from among the routers whose flag is on, a predetermined number of routers are selected according to a preference defined in advance, in order from the one with highest priority (Yamada, p.3, [0042]).

As to **claim 13**, Yamada as modified by Das discloses a mobile terminal according to claim 11, wherein the information setting unit selects a home agent arbitrarily from among the routers whose flag is on (Yamada, p.2-3, [0039]).

As to **claim 14**, Yamada as modified by Das discloses a mobile terminal according to claim 11, wherein through an input unit the user enters selection criteria for the selection of a home agent to be performed by the information setting unit, and the information setting unit performs the selection of a home agent on the basis of these criteria (Yamada, p.4, [0067]).

As to **claim 15**, Yamada as modified by Das discloses a mobile terminal according to claim 9, wherein the input unit may be a soft key on a screen, a button set in a main body, or a switch set in the main body (Das, p.6, [0063]).

As to **claim 16**, Yamada as modified by Das discloses a mobile terminal according to claim 9, further comprising a display unit that notifies the user that the setting of information regarding a home agent is completed (Yamada, p.4, [0048], the on-communication address management table).

As to **claim 17**, Yamada as modified by Das discloses a mobile terminal according to claim 9, wherein the input unit designates the time period in which the information regarding a home agent is set, and the information setting unit sets the information only in this period (Yamada, p.3, [0044], binding management part).

As to **claim 18**, Yamada as modified by Das discloses a mobile terminal according to claim 15, wherein the time period is a period in which the soft key, the button, or the switch used as the input unit is in the state 'ON' (Das, p.3-4, [0034], mobile node is still active).

As to **claim 19**, Yamada as modified by Das discloses an address information setting method according to claim 2, wherein in the selection of a home agent, a home agent is selected from among routers whose flag indicating that it is a home agent is on, this flag included in acquired information regarding the routers (Yamada, p.2-3, [0039]).

As to **claim 20**, Yamada as modified by Das discloses an address information setting method according to claim 19, wherein in the selection of a home agent, from among the routers whose flag is on, a predetermined number of routers are selected according to a preference defined in advance, in order from the one with highest priority (Yamada, p.3, [0042]).

As to **claim 21**, Yamada as modified by Das discloses an address information setting method according to claim 19, wherein in the selection step of a home agent, a home agent is selected arbitrarily from among the routers whose flag is on (Yamada, p.2-3, [0039]).

As to **claim 22**, Yamada as modified by Das discloses an address information setting method according to claim 19, further comprising a step of acquiring, from the user, criteria for selecting a home agent from among the

routers whose flag is on, wherein in the step of selecting a home agent, a home agent is selected according to the criteria (Yamada, p.4, [0067]).

As to **claim 23**, Yamada as modified by Das discloses an address information setting method according to claim 2, further comprising a step of notifying the user when the selection of a home agent is completed (Yamada, p.4, [0048], the on-communication address management table).

As to **claim 24**, Yamada as modified by Das discloses a mobile terminal according to claim 10, wherein the information setting unit selects a home agent from among routers whose flag indicating that the home agent is included in the router information of the router information response messages is on (Yamada, p.2-3, [0039]).

As to **claim 25**, Yamada as modified by Das discloses a mobile terminal according to claim 24, wherein in the selection of a home agent, from among the routers whose flag is on, a predetermined number of routers are selected according to a preference defined in advance, in order from the one with highest priority (Yamada, p.3, [0042]).

As to **claim 26**, Yamada as modified by Das discloses a mobile terminal according to claim 24, wherein the information setting unit selects a home agent arbitrarily from among the routers whose flag is on (Yamada, p.2-3, [0039]).

As to **claim 27**, Yamada as modified by Das discloses a mobile terminal according to claim 24, wherein through an input unit the user enters selection

criteria for the selection of a home agent to be performed by the information setting unit, and the information setting unit performs the selection of a home agent on the basis of these criteria (Yamada, p.4, [0067]).

As to **claim 28**, Yamada as modified by Das discloses a mobile terminal according to claim 10, wherein the input unit may be a soft key on a screen, a button set in a main body, or a switch set in the main body (Das, p.6, [0063]).

As to **claim 29**, Yamada as modified by Das discloses a mobile terminal according to claim 10, further comprising a display unit that notifies the user that the setting of information regarding a home agent is completed (Yamada, p.4, [0048], the on-communication address management table).

As to **claim 30**, Yamada as modified by Das discloses a mobile terminal according to claim 10, wherein the input unit designates the time period in which the information regarding a home agent is set, and the information setting unit sets the information only in this period (Yamada, p.3, [0044], binding management part).

As to **claim 31**, Yamada as modified by Das discloses a mobile terminal according to claim 28, wherein the time period is a period in which the soft key, the button, or the switch used as the input unit is in the state 'ON' (Das, p.3-4, [0034], mobile node is still active).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YUNGSANG LAU whose telephone number is (571)270-3316. The examiner can normally be reached on Monday - Friday 9:30a.m. - 6:00p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rafael Perez Gutierrez can be reached on 571-272-7915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

YL

/Rafael Pérez-Gutiérrez/
Supervisory Patent Examiner, Art Unit 2617